

# **Partnering**

The Department encourages the establishment of a cooperative and productive partnership with the contractor, and through the contractor, with principal subcontractors and suppliers. This partnership will be structured to draw on the strengths of each organization to identify and achieve mutual objectives. It is anticipated that these objectives will include effective and efficient contract performance, and completion within budget, on schedule, and in accordance with plans and specifications. A safe working environment will always be a consideration.

The partnership will be bilateral in makeup and participation will be totally VOLUNTARY. Any costs associated with effectuating the partnership, whether informal or formal, will be agreed to by both parties and will be shared equally.

The District Engineer (DE) or the successful contractor can initiate an invitation to partner. Where there is an agreement to partner, the DE and the contractor will promptly arrange for a meeting between themselves and their respective staffs to develop a partnering agreement. The location and duration of the meeting will be established by agreement between the DE and the contractor.

If the DE and the contractor agree to develop the partnering agreement between themselves and their respective staffs, the partnering approach will be considered informal. Any costs associated with informal partnering will be paid by the contractor with the department reimbursing 50% of such costs as an item of extra work. If the department and the contractor mutually agree that a facilitator is needed to help develop the agreement and to aid in team building exercises, etc., the approach will be considered formal.

When formal partnering is the chosen option, the DE and the contractor will jointly select a facilitator and work together on an appropriate contract for services and fee structure. The contractor will pay for the services of the facilitator and meeting facilities, and be reimbursed for 50% of such costs as an item of extra work. The cost of partnering, whether informal or formal, will be considered a part of construction engineering.

A model partnering agreement is attached and may be used as a guide to aid in development of a project specific agreement.

The establishment of a partnership agreement on a project will not change the legal relationship of the partners to the contract nor relieve either partner from any of the terms of the contract.

## **MODEL PARTNERING AGREEMENT**

### **Partnering Agreement for (Project)**

The Illinois Department of Transportation and (Company) agree to work as a team dedicated to building a quality project in accordance with the contract. We are committed to both employee and public safety, protection of the environment, and minimizing inconvenience to the public.

#### **COMMUNICATION OBJECTIVES**

We intend to deal with each other in a fair, reasonable, trusting and professional manner. To accomplish this, we will:

- Have frequent, open and honest communication.
- Communicate as soon as possible on all issues.
- Make decisions at lowest possible level.
- Listen with understanding.
- Treat each other with mutual respect; resolve personal conflicts immediately.
- Keep all team members informed on project activities.
- Hold (daily/weekly) meetings to assure smooth project operations.
- Define response time needed to avoid project delays.
- When appropriate, establish and maintain relationship with the public and the news media.

#### **PERFORMANCE OF OBJECTIVES**

- Construct project within the intent of plans and specifications.
- Promote highest quality workmanship.
- Utilize cost reduction incentive proposals.
- Handle necessary work changes expeditiously.
- Meet environmental commitments.
- Provide safe passage of the public through the project.
- Promote positive public relations.
- Provide a safe, enjoyable work environment.
- Construct and administer the contract so that all parties are treated fairly.
- Finish project on time, within budget, and with a fair profit for the contractor.
- Complete the project without unresolved disputes.
- Final paperwork to district office within \_\_\_\_ days of completion of work on contract.

## CONFLICT RESOLUTION SYSTEM

All issues which arise on the project will be resolved quickly to avoid any delay of work. Every effort will be made to resolve issues at the level at which they originate. Timeliness of decisions is essential. If agreement cannot be reached at the originating level, issues will be promptly elevated through the chain of command for resolution. The Illinois Department of Transportation and (Company) agree to the following organizational/time structure for issue resolution:

Step 1	Foreman/Inspector	(Time)
Step 2	Project Foreman/Superintendent/Resident Engineer	(Time)
Step 3	Project Manager/Field Engineer/Construction Engineer	(Time)
Step 4	Project Mgr./Company Principal/District Office/Mgmt. Officials	(Time)
Step 5	Company Principal/Central Office/Management Officials	(Time)

We, the undersigned, agree to make a good faith effort to undertake and implement the above as applicable to each of us.

General Contractor Personnel

\_\_\_\_\_  
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Subcontractors\_\_\_\_\_

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Department Personnel

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Subcontractors\_\_\_\_\_

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NOTE: The mission statement and objectives of the stakeholders from the Partnering Agreement. The Agreement for each project, therefore, will be unique to that project. The agreement may be a simple statement about communication and cooperation in all matters affecting the project and resolution of conflicts at the lowest level. The model provides an idea of objectives which might be included in an agreement. Desirably, all partnering agreements should include a system for the stakeholders to regularly evaluate performance in terms of the project goals.

# Special Notice Regarding IDOT Proposals, Authorization To Bid & Requests For Plans & Proposals

## ABOUT IDOT PROPOSALS

All proposals issued by IDOT are potential bidding proposals. Each proposal contains all Certifications and Affidavits, a Proposal Signature Sheet and a Proposal Bid Bond required for Prime Contractors to submit a bid after written AUTHORIZATION TO BID has been issued by IDOT's Central Bureau of Construction.

## ABOUT AUTHORIZATION TO BID

**WHO CAN BID?:** Bids will be accepted from only those companies that **request and receive** written **Authorization to Bid** from IDOT's Central Bureau of Construction. To request authorization, a potential bidder must complete and submit Part B of the Request for Proposal Forms and Plans & Request for Authorization to Bid form (BDE 124).

**WHAT CONSTITUTES AUTHORIZATION TO BID?:** When a prospective prime bidder submits a "Request for Proposal Forms and Plans" he/she must indicate at that time which items are being requested for Bidding purposes. Only those items requested For Bidding will be analyzed. After the request has been analyzed, the bidder will be issued a **Proposal Denial and/or Authorization Form**, approved by the Central Bureau of Construction, that indicates which items have been approved for Bidding. If **Authorization to Bid** cannot be approved, the **Proposal Denial and/or Authorization Form** will indicate the reason for denial.

**FIRMS UNSURE AS TO AUTHORIZATION STATUS?** Firms that have not received an authorization form within a reasonable time of complete and correct original document submittal should contact the department as to status. This is critical in the week before the letting. These documents must be received by three days before the letting date. Firms unsure as to authorization status should call the Prequalification Section of the Bureau of Construction at 217/785-4927.

## ABOUT REQUESTS FOR PLANS & PROPOSALS

The request form used for ordering plans and proposals, Form BDE 124 (Revised 3/2000), has been designed to provide better communication between requesters and IDOT personnel who are responsible for processing plan and proposal orders. If requesters follow the instructions printed on the reverse side of the form, it will help save time, eliminate errors and expedite the processing of requests.

Requests for plans and proposals will not be honored unless submitted on the proper form, a copy of which is included in this issue of the Transportation Bulletin.

### Notice

NO AUTHORIZATION TO BID WILL BE ISSUED UNTIL A **COMPLETED PART B OF FORM BDE 124** and THE **ORIGINAL** AFFIDAVIT OF AVAILABILITY HAS BEEN FILED WITH THE CENTRAL BUREAU OF CONSTRUCTION

## **SPECIAL NOTICE REGARDING JOINT VENTURES**

On July 29, 1997, the Illinois Department of Transportation adopted amended administrative rules governing "Prequalification of Contractors & Issuance of Plans & Proposals". Pursuant to those rules, procedures for analysis and Authorization to Bid on for joint ventures on state lettings will henceforth be as follows:

- 1) Prequalified contractors may combine their available bidding capacity and request Authorization to Bid for a single contract to bid as a joint venture after department approval.
- 2) Each request for approval of a joint venture shall be indicated by the filing of a Certificate of Joint Venture for each contract for which approval is sought. It identifies the managing party and indicates the conditions under which the joint venture exists. The joint venture agreement shall be available to the Department for inspection. Each joint venture party shall also submit an Affidavit of Availability. The original Certificate of Affidavits must be received no later than 4:30 p.m. prevailing time seven days prior to the scheduled date of the letting for which Authorization to Bid is sought.
- 3) Very large and complex projects may be designated as being eligible for "unrestricted joint venturing", and will be clearly denoted as such in the Transportation Bulletin. These projects will not be subject to restrictions with respect to the number of parties or other joint ventures conditions, but will still be required to submit a Certificate of Joint Venture and individual affidavits by the aforementioned time and date before Authorization to Bid will be considered.
- 4) On projects estimated by the department at greater than \$1,000,000 and not designated for (unrestricted joint venturing), Joint Ventures shall have no more than three parties.
- 5) On projects estimated by the department at less than \$1,000,000 Joint Ventures shall have no more than three parties. One or more of the parties must have insufficient available individual prequalification ratings to be Authorized to Bid, unless one of the following conditions exist:
  - a) There is fifty-one percent or more common controlling ownership between the parties.
  - b) There common management between the firms where the officers, directors or general partners control the board of directors and/or management of each party.
- 6) Contractors with financial ratings are based upon unaudited financial statements will not be permitted to joint venture with each other to bid contracts which the department estimates at greater than \$500,000. However, such firms may be permitted to joint venture with firms who have a financial rating based upon an audited statement to bid on contracts the department estimates at greater than \$500,000.
- 7) If a party's work rating is limited by its maximum financial rating, the full value of the computed work rating will be used in analyzing the joint venture request. However, the combined maximum work rating in any category shall not exceed the combined financial ratings of the joint venture.

Copies of all required joint venture forms are attached to each Transportation Bulletin.

Please note that signed and notarized originals of all required joint venture forms mentioned above must be received by 4:30 p.m. prevailing time seven days prior to the scheduled letting date. These forms should be mailed to the following address:

Illinois Department of Transportation  
Bureau of Construction  
2300 S. Dirksen Parkway, Room 322  
Springfield, Illinois 62764

Any questions should be directed to the Prequalification Engineer, at 217/782-3413.